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BILL NO. S-76-11- 06

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SPECIAL ORDINANCE NO. S- 203-76

AN ORDINANCE approving Agreements
between the County of Allen and the
City of Fort Wayne for real estate
for the City of Fort Wayne.

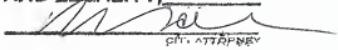
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10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

11 SECTION 1. The agreement between the County of Allen
12 and the City of Fort Wayne, by and through its Mayor and the
13 Board of Public Works, for the real estate described as follows,
14 to-wit:

15 Beginning at the Northeast corner of Lot
16 39 in Brookview Addition to the City of
17 Fort Wayne, Allen County, Indiana; thence
18 northeasterly 50 feet along the extension of
19 the easterly boundary of said Lot 39;
20 thence northwesterly approximately 147.5
21 feet along a line parallel to the northerly
22 boundary of said Lot 39; thence southwesterly
23 50 feet to the northerly boundary of said
24 Lot 39; thence southeasterly along the
25 boundary of said Lot 39 a distance of approxi-
mately 150 feet to the point of beginning;
(Commonly known as 2533 N. Clinton St.,
Fort Wayne, Indiana). (Key No. 91-0029-5001),
all as more particularly set forth in said contract which is
on file in the Office of the Board of Public Works and is by
reference incorporated herein, made a part hereof and is hereby
in all things ratified, confirmed and approved.

26 SECTION 2. The agreement between the County of Allen
27 and the City of Fort Wayne, by and through its Mayor and the
28 Board of Public Works, for the real estate described as follows,
29 to-wit:

30 Lots 382, 383, 384, 385, 386, 387, 388, 389,
31 390, 391, 392, 393, 394, and 395 in Stellhorn
32 Park Section "B" Addition to the City of Fort
Wayne, Allen County, Indiana. (Key No. 94-
4010-5382),

33
34 APPROVED AS TO FORM
35 AND LEGALITY,

M. S. Smith
CITY ATTORNEY

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4 all as more particularly set forth in said contract which is
5 on file in the Office of the Board of Public Works and is by
6 reference incorporated herein, made a part hereof and is hereby
7 in all things ratified, confirmed and approved.

8 SECTION 3. The agreement between the County of Allen
9 and the City of Fort Wayne, by and through its Mayor and the
10 Board of Public Works, for the real estate described as follows,
11 to-wit:

12 Lots 52 and 53, Lillie's Addition north of
13 Railroad, in Fort Wayne, Allen County,
14 Indiana. (Commonly known as 1316 and 1318
15 South Anthony Boulevard, Fort Wayne, Indiana),
16 all as more particularly set forth in said contract which is
17 on file in the Office of the Board of Public Works and is by
18 reference incorporated herein, made a part hereof and is hereby
19 in all things ratified, confirmed and approved.

20 SECTION 4. The agreement between the County of Allen
21 and the City of Fort Wayne, by and through its Mayor and the
22 Board of Public Works, for the real estate described as follows,
23 to-wit:

24 Lot Number 23 in McCulloch's First Addition
25 to the City of Fort Wayne, Allen County,
26 Indiana. (Key No. 91-3457-5023),
27 all as more particularly set forth in said contract which is
28 on file in the Office of the Board of Public Works and is by
29 reference incorporated herein, made a part hereof and is hereby
30 in all things ratified, confirmed and approved.

31 SECTION 5. The agreement between the County of Allen
32 and the City of FOrt Wayne, by and through its Mayor and the
33 Board of Public Works, for the real estate described as follows,
34 to-wit:

35 The East 19 feet of Lot 100, and Lot 101,
36 in Chute's Homestead Addition to the City
37 of Fort Wayne, Allen County, Indiana.
38 (Commonly known as 1112 and 1118 Maumee
39 Avenue, Fort Wayne, Indiana),

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4 all as more particularly set forth in said contract which is
5 on file in the Office of the Board of Public Works and is by
6 reference incorporated herein, made a part hereof and is hereby
7 in all things ratified, confirmed and approved.

8 SECTION 6. This Ordinance shall be in full force and
9 effect from and after its passage and approval by the Mayor.

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18 Virgil G. Schmidt
19 Councilman
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Read the first time in full and on motion by V. Schmitz seconded by Galaries, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 11-9-76

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmitz, seconded by Shinga, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HINGA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HUNTER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>MOSES</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>NUCKOLS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHIMDT, D.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHIMDT, V.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 11-23-76

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 1203-76 on the 23rd day of Nov, 1976.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

James Shier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1976, at the hour of 11:00 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 24th day of November, 1976, at the hour of 4:30 o'clock P M., E.S.T.

Robert E. Umstotong
MAYOR

Hold ~~Boyle~~ ~~Nov. 23~~
Bill No. S-76-11-06

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving Agreements between the County of Allen and the City of Fort
Wayne for real estate for the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

Vivian G. Schmidt - Chairman

William T. Hinga - Vice-Chairman

Winfield C. Moses, Jr.

John Nuckols

Samuel J. Talarico

Vivian G. Schmidt
William T. Hinga
Winfield C. Moses, Jr.
John Nuckols
Samuel J. Talarico

DATE 11-23-76 CONCURRED IN
CHARLES W. WETTERLIN, CITY CLERK

AGREEMENT TO CONVEY REAL ESTATE

WHEREAS, the County of Allen is the owner in fee of the following described real estate:

Beginning at the Northeast corner of Lot 39 in Brookview Addition to the City of Fort Wayne, Allen County, Indiana; thence northeasterly 50 feet along the extension of the easterly boundary of said Lot 39; thence northwesterly approximately 147.5 feet along a line parallel to the northerly boundary of said Lot 39; thence southwesterly 50 feet to the northerly boundary of said Lot 39; thence southeasterly along the boundary of said Lot 39 a distance of approximately 150 feet to the point of beginning. (Commonly known as 2533 N. Clinton St., Fort Wayne, Indiana). (Key No. 91-0029-5001).

Which real estate is no longer required or satisfactory for the County's business or recreational purposes, and

WHEREAS, the County desires to sell said surplus real estate to the City of Fort Wayne, a City located in the County of Allen, to be used by the City of Fort Wayne for its own particular purposes; and

WHEREAS, the City of Fort Wayne desires to purchase said real estate for its own particular purposes, now therefore

IT IS HEREBY AGREED, by and between the County of Allen and the City of Fort Wayne that in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, the County of Allen hereby agrees to convey the following described real estate:

Beginning at the Northeast corner of Lot 39 in Brookview Addition to the City of Fort Wayne, Allen County, Indiana; thence northeasterly 50 feet along the extension of the easterly boundary of said Lot 39; thence northwesterly approximately 147.5 feet along a line parallel to the northerly boundary of said Lot 39; thence southwesterly 50 feet to the northerly boundary of said Lot 39; thence southeasterly along the boundary of said Lot 39 a distance of approximately 150 feet to the point of beginning. (Commonly known as 2533 N. Clinton St., Fort Wayne, Indiana). (Key No. 91-0029-5001).

to the City of Fort Wayne, subject to the ratification of said sale

by adoption of ordinances by the Common Council of the City of Fort Wayne and by the County Council of Allen County, pursuant to I.C. 18-5-3-1.

This agreement adopted and authorized by resolution of the Board of Commissioners of the County of Allen on the 28th day of October, 1976.

(Commissioners Minute Book 44, Page 183+184)

BOARD OF COUNTY COMMISSIONERS

Henry J. Brubaker
Jack P. Dunnigan
John Miller

This agreement adopted and authorized by the Board of Public Works of the City of Fort Wayne on this 1st day of November, 1976.

BOARD OF PUBLIC WORKS

Henry P. Wehnerberg
Edwin N. LaMar
May J. Scott

AGREEMENT TO CONVEY REAL ESTATE

WHEREAS, the County of Allen is the owner in fee of the following described real estate:

Lots 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, and 395 in Stellhorn Park Section "B" Addition to the City of Fort Wayne, Allen County, Indiana. (Key No. 94-4010-5382).

Which real estate is no longer required or satisfactory for the County's business or recreational purposes, and

WHEREAS, the County desires to sell said surplus real estate to the City of Fort Wayne, a City located in the County of Allen, to be used by the City of Fort Wayne for its own particular purposes; and

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to the City of Fort Wayne, subject to the ratification of said sale by adoption of ordinances by the Common Council of the City of Fort Wayne and by the County Council of Allen County, pursuant to I.C. 18-5-3-1.

This agreement adopted and authorized by resolution of the Board of Commissioners of the County of Allen on the 28th day of October, 1976.

(Commissioners Minute Book 44, Page 183+184)

BOARD OF COUNTY COMMISSIONERS

James F. Tracy
Jack R. Dunbar
John J. Eller

This agreement adopted and authorized by the Board of Public Works of the City of Fort Wayne on this 1st day of November, 1976.

BOARD OF PUBLIC WORKS

Henry J. Schenck
Edward J. Saman
May G. Scott

AGREEMENT TO CONVEY REAL ESTATE

WHEREAS, the County of Allen is the owner in fee of the following described real estate:

Lots 52 and 53, Lillie's Addition north of Railroad, in Fort Wayne, Allen County, Indiana. (Commonly known as 1316 and 1318 South Anthony Boulevard, Fort Wayne, Indiana).

Which real estate is no longer required or satisfactory for the County's business or recreational purposes, and

WHEREAS, the County desires to sell said surplus real estate to the City of Fort Wayne, a City located in the County of Allen, to be used by the City of Fort Wayne for its own particular purposes; and

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to the City of Fort Wayne, subject to the ratification of said sale by adoption of ordinances by the Common Council of the City of Fort Wayne and by the County Council of Allen County, pursuant to I.C. 18-5-3-1.

This agreement adopted and authorized by resolution of the Board of Commissioners of the County of Allen on the 28th day of October, 1976.

(Commissioners Minute Book 44, Page 182+184)

BOARD OF COUNTY COMMISSIONERS

James B. Minster

Jack F. Dinsifer
John Miller

This agreement adopted and authorized by the Board of Public Works of the
City of Fort Wayne on this 1st day of November, 1976.

BOARD OF PUBLIC WORKS

Henry B. Websay
Edward W. LaRue
May G. Scott

AGREEMENT TO CONVEY REAL ESTATE

WHEREAS, the County of Allen is the owner in fee of the following described real estate:

Lot Number 23 in McCulloch's First Addition to the City of Fort Wayne, Allen County, Indiana. (Key No. 91-3457-5023).

Which real estate is no longer required or satisfactory for the County's business or recreational purposes, and

WHEREAS, the County desires to sell said surplus real estate to the City of Fort Wayne, a City located in the County of Allen, to be used by the City of Fort Wayne for its own particular purposes; and

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Lot Number 23 in McCulloch's First Addition to the City of Fort Wayne, Allen County, Indiana. (Key No. 91-3457-5023).

to the City of Fort Wayne, subject to the ratification of said sale by adoption of ordinances by the Common Council of the City of Fort Wayne and by the County Council of Allen County, pursuant to I.C. 18-5-3-1.

This agreement adopted and authorized by resolution of the Board of Commissioners of the County of Allen on the 28th day of October, 1976.

(Commissioners Minute Book 44, Page 134184)

BOARD OF COUNTY COMMISSIONERS

Allen C. Brattin

Frank R. Dimon
Paul W. Ells

This agreement adopted and authorized by the Board of Public Works of the City of Fort Wayne on this 1st day of November, 1976.

BOARD OF PUBLIC WORKS

Henry P. Veltkamp
Ernest H. LaMarr
May G. Scott

AGREEMENT TO CONVEY REAL ESTATE

WHEREAS, the County of Allen is the owner in fee of the following described real estate:

The East 19 feet of Lot 100, and Lot 101,
in Chute's Homestead Addition to the City
of Fort Wayne, Allen County, Indiana.
(Commonly known as 1112 and 1118 Maumee
Avenue, Fort Wayne, Indiana).

Which real estate is no longer required or satisfactory for the County's business or recreational purposes, and

WHEREAS, the County desires to sell said surplus real estate to the City of Fort Wayne, a City located in the County of Allen, to be used by the City of Fort Wayne for its own particular purposes; and

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of Fort Wayne, Allen County, Indiana.
(Commonly known as 1112 and 1118 Maumee
Avenue, Fort Wayne, Indiana).

to the City of Fort Wayne, subject to the ratification of said sale by adoption of ordinances by the Common Council of the City of Fort Wayne and by the County Council of Allen County, pursuant to I.C. 18-5-3-1.

This agreement adopted and authorized by resolution of the Board of Commissioners of the County of Allen on the 28th day of October, 1976.

(Commissioners Minute Book 44, Page 187-184)

BOARD OF COUNTY COMMISSIONERS

W. J. Miller D. M. Westcott

Joseph J. Dunigan
Frank J. Miller

This agreement adopted and authorized by the Board of Public Works of the City of Fort Wayne on this 1st day of December, 1976.

BOARD OF PUBLIC WORKS

Henry P. Wehrle
Evel H. LaMar
May J. Scott

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk



To Mayor Robert E. Armstrong Date 11-17-76
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council on November 23, 1976 - 7:00 P.M.

COPIES TO:

BILL NO. S-76-11-06

AN ORDINANCE approving Agreements
between the County of Allen and the
City of Fort Wayne for real estate
for the City of Fort Wayne

BILL NO. S-76-11-07

AN ORDINANCE approving Agreement to
Purchase real estate from Eileen M.
Miller and Shara L. Goodwin

Pursuant to the request of the Standing Committee Chairman of
Finance of the Common Council, the presence of a member of the
Board of Works familiar with the above ordinances is respect-
fully requested on November 23, 1976, at 7:00 o'clock P.M.,
Room 128, Common Council Conference Room.

Specifically, Council would like a more detailed explanation
regarding the above ordinances. They would appreciate any
materials or exhibits pertinent to the above bills so that they
may be able to make a decision as to what action should be
taken.

Your cooperation will be greatly appreciated.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE J-76-11-06.
The Board of County Commissioners have offered to the City
numerous parcels of real estate not needed for County business or recreation.

Considering that said properties may at some time be useful to the City, the Board
deems it advisable to accept.

(SEE ATTACHED AGREEMENTS FOR PROPERTY DESCRIPTIONS)

EFFECT OF PASSAGE Acquisition of properties at no cost to City

EFFECT OF NON-PASSAGE Failure to accept real estate that may be useful to the
City at some future time

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) No cost involved

ASSIGNED TO COMMITTEE Finance